IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.2835 OF 2002

IN

SUIT NO.450 OF 1971

State Bank of India and anr. ... Plaintiffs

v/s

Alcock Ashdown and Co.Ltd.

(in liquidation) and anr. ... Defendants

Mr D.C. Gomes for Plaintiffs.

Mr B. Lobo i/b M/s Mulla and Mulla and Craigie Blunt and Caroe for Defendant No.1.

Mr V.B. Tiwari for Defendant no.2.

CORAM : D.K.DESHMUKH J.

DATE : 26TH AUGUST 2004

P.C.: -

1. Though the reasons given in the affidavit filed in support of the motion by the plaintiffs for not appearing in Court are not acceptable, considering that the plaintiffs are a State Government i.e. Government of Gujarat and the willingness shown by the learned counsel appearing for plaintiffs to pay costs to the defendants, I am inclined to pass the following order.

2. Notice of motion is granted in terms of prayer clause (a) subject to the condition that the plaintiffs pay to both the defendants costs in the amount of Rs.2,000/- each. Notice of motion is disposed off.

. Parties to act on the copy of this order duly authenticated by the Associate / Personal Secretary as true copy.

. Certified copy expedited.